

Nancy Curry
Chapter 13 Standing Trustee
700 South Flower Street, Suite 1215
Los Angeles, CA 90017
(213) 689-3014 FAX (213) 689-3055

UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA LOS ANGELES DIVISION	
In re HAWKINS, EJ Debtor	CHAPTER 13 CASE NO. 2:14-bk-11767-WB NOTICE AND TRUSTEE'S MOTION TO DISMISS CHAPTER 13 CASE BY STANDING TRUSTEE BECAUSE OF DELINQUENT PLAN PAYMENTS PURSUANT TO 11 USC §1307(c)(1) NO HEARING REQUIRED

PLEASE TAKE NOTICE that Nancy Curry, Chapter 13 Trustee, will and hereby does move the Court for an order dismissing this case because payments are delinquent.

DEADLINE FOR OPPOSITION AND REQUEST FOR HEARING

Local Bankruptcy Rule 9013-1 (f) and (h) provides that any response and request for hearing must be filed and served not later than 14 days of the date of service. A party who responds to a Trustee's motion to dismiss must obtain a hearing date from the Court and give notice thereof with the response LBR 3015-1(w)(3).

DATED: September 19, 2014

/s/ Nancy Curry

I, Nancy Curry, declare as follows:

1. I am the Trustee in this matter and I have personal knowledge of files and records kept by my office in the regular course of business. I have personally reviewed the files and records kept by my office in the within case. The following facts are true and correct and within my own personal knowledge and I could and would testify competently thereto if called upon to do so.
2. I recommend that the Court dismiss this case because the Debtor has failed to tender all payments required by the confirmed plan as evidenced by the attached receipt history which is incorporated herein by reference, 11 USC § 1307(c)(i), LBR 3015-1(k).

I declare under penalty of perjury that the foregoing is true and correct. Executed at Los Angeles, California on September 19, 2014.

/s/ Nancy Curry

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

Nancy Curry, Chapter 13 Trustee
700 South Flower Street, Suite 1215
Los Angeles, CA 90017

A true and correct copy of the foregoing document entitled (specify): **NOTICE AND MOTION TO DISMISS CHAPTER 13 CASE** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On September 19, 2014, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On September 19, 2014, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addresses as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor
HAWKINS, EJ

Attorney for Debtor
BRETT F. BODIE

3223 W. 83RD STREET
INGLEWOOD, CA 90305

16133 VENTURA BLVD., #700
ENCINO, CA 91436-

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on September 19, 2014, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under laws of the United States that the foregoing is true and correct.

September 19, 2014
Date

Carlos Robles
Printed Name

/s/ Carlos Robles
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

June 2012

F 9013-3.1.PROOF.SERVICE

HAWKINS, EJ

3223 W. 83RD STREET
INGLEWOOD, CA 90305

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